

# THE DESERET EVENING NEWS.

FIFTY-FIRST YEAR

MONDAY, APRIL 1, 1901. SALT LAKE CITY, UTAH.

NUMBER 112.

## RUSSIA VIRTUALLY SENDS ULTIMATUM

Is Seriously Perturbed by China's Course—May Break Off Diplomatic Relations and Interrupt Their Intercourse.

Washington, April 1.—Information has reached here to the effect that the Russian government is seriously perturbed by the course of China in not signing the Manchurian agreement, largely because of the protest made by the several powers, has conveyed a distinct and unmistakable indication to China that if this course is persisted in there may be an interruption of diplomatic relations between Russia and China as a termination of the present intercourse between them. This is little short of an ultimatum that China must accept or take the consequences of a termination of her friendly relations with Russia.

To what extent the United States will take any part in the signing of the agreement has not yet been made apparent. It appears to be the policy of the Chinese government to consider this as a subject which concerns the powers quite as much as it does China. The matter has become further complicated by reports reaching Washington that the Chinese authorities are divided on the subject as to whether to accept the agreement, and that the Chinese government is divided on the subject as to whether to accept the agreement, and that the Chinese government is divided on the subject as to whether to accept the agreement.

## EUREKA HAS A DISASTROUS FIRE.

Broke Out Early This Morning and Raged Several Hours—Apex Restaurant and Hayes' Millinery Store Destroyed—Half the Town Endangered.

(Special to the "News.")

Eureka, Utah, April 1.—Shortly after 1 o'clock this morning a disastrous fire broke out on Main street and continued for about three hours. The first alarm was given by the bell at the Hayes millinery store, which was the first building to be burned. The fire spread rapidly and in a few minutes the Apex restaurant, which was the first building to be burned, was also destroyed. The fire spread rapidly and in a few minutes the Apex restaurant, which was the first building to be burned, was also destroyed.

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## DID A. R. PATRICK MURDER W. M. RICE

Trial of the Famous Case Began This Morning.

HOUSEKEEPER TESTIFIES.

Defense Wanted Her Cautioned Against Incriminating Herself—She Declined to Answer Question.

New York, April 1.—The first witness today at the hearing of Albert T. Patrick, the lawyer, charged with causing the death of William Marsh Rice last September, was Mrs. A. M. Francis, who kept the house where Patrick formerly boarded. When she had been sworn and Assistant District Attorney Osborne was about to put his first question, Mr. Moore, Patrick's lawyer, said he thought the witness ought to be cautioned against testifying to anything that might incriminate herself.

Mrs. Francis testified that she had known Patrick since January, 1900, and that she had been with him at the time of his arrest. She was acquainted with David L. Short and Morris Meyers and with Potts, all of whom have figured in the case. Patrick occupied the back parlor in her house. She herself had no stated room, she said in reply to a question by Mr. Osborne.

"When did Patrick begin to speak to you about Mr. Rice?" asked Mr. Osborne.

"I decline to answer on the advice of my lawyer," witness replied.

"On what grounds?" asked Mr. Osborne.

"On the ground that it would incriminate me," Mrs. Francis answered.

Assistant District Attorney Osborne said there was no intention of implicating the witness with Patrick, but she still refused to testify.

Justice Jerome then asked the witness: "Do you believe the answer to this question would tend to convict you of a crime?"

Understand, not Patrick, nor Short, nor Meyers, nor anybody else, but yourself?"

There was some more argument and finally Justice Jerome said: "If the witness is willing to place herself in such a position in the community as the witness does through her testimony, I don't see that I can compel her to answer. She is an intelligent woman, and fully understands this question. Are you willing to stand in that light?"

Justice Jerome added, turning to the witness:

"I am," witness said.

Mrs. Francis said she had known Jones since January, 1900, but she refused to reply to any further questions concerning Jones on the ground that the answers might incriminate her. For the same reason, she refused to say whether Patrick remained in the house all day on September 22nd last year.

Mrs. Francis was told to appear as a witness on Friday. Today she testified that she was down to the Tomb on Saturday when she spent several hours talking to Patrick.

"Did you discuss the case with him?"

"I did."

"What did you say?"

"Nothing of any importance at all."

It came out in the testimony that the witness had been told by Patrick that if she said anything favorable to Patrick, the district attorney would have her arrested.

Mr. Osborne then handed the witness a letter which she identified as one that she wrote him last year. It was marked and placed in evidence.

"You were not at that time afraid of incriminating yourself?" he asked.

"What has made you change your mind since then?"

"My counsel's advice; my own opinion that she is a woman previously held in high esteem in the community. I do not propose that she shall go out of this courtroom with a stigma on her name for lack of time to consider this matter. We will take a recess. During the recess, I would advise you to see some friend—not necessarily a lawyer—but some man or woman with sound business sense, who can give you counsel and advice."

"Did I ever threaten you personally?"

"No."

"Why do you believe I would have you arrested?"

"I saw in the papers on Saturday night that you were to make more arrests."

"And do you believe, after my declaration in open court, that I would arrest you, though innocent?"

"I do," she replied.

Justice Jerome interrupted her and said:

"The testimony of this witness shows that she is a woman previously held in high esteem in the community. I do not propose that she shall go out of this courtroom with a stigma on her name for lack of time to consider this matter. We will take a recess. During the recess, I would advise you to see some friend—not necessarily a lawyer—but some man or woman with sound business sense, who can give you counsel and advice."

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## LENTEEN DAYS DISCUSSED.

Subject Considered at Meeting of Salt Lake Ministers Today.

TERMINATES WITH EASTER

Rev. Simpkins Declines Against Six Weeks of Self-Denial and Forty-six of Wantonness and Wrong Living.

The Salt Lake Ministerial association met in the Y. M. C. A. parlors this morning and an interesting paper was read by the Rev. P. A. Simpkins, pastor of the Phillips Congregational church.

After discussing the origin of the special observance of certain days and seasons he observed that most of such were probably the outcome and fruitage of superstition and idolatry of heart of early believers in the church. "There is in them still," said Rev. Simpkins, "the seed of formalism and careful guarding is needed and unwearied watching lest the tendencies of formal ceremony bear their fruit in dead works."

In the observance of these days of self-denial, in the spirit as well as the letter, there is a deepening force for the eternal things within us." Continuing the doctor said, "I do not wish to be understood as endorsing the present practice or spirit of the Lenten season, as we find them. I do not believe in six weeks of self-denial and forty-six weeks of wantonness and naughtiness of the flesh. Denounced as such, the Lenten season is a part of its religious expression, but which is really nothing more than a resting season necessary for women coming fagged out from winter excesses in society. The observance of the Lenten season can be good and helpful only when observed in sincerity and truth."

"Church going is no safe criterion of character. It is no more makes a man a part of the kingdom than abstraction therefrom debars from that privilege. Yet it is not a matter of indifference whether or not one attends church. That man is an exception who can maintain a healthful life apart from participation in church life by waiting on God in the service of his house."

The only reason the Episcopal and Episcopalian churches are so strong is that they insist upon attendance at church as an essential means to a noble end. Let us exalt this virtue and by the observance of the Lenten season bring ourselves nearer God."

This week is holy week, and under the direction of the Episcopal church a 20-minute prayer service for business men will be held at noon each day in the Y. M. C. A. parlors. Dean Eddie addressed those present today, and will also speak tomorrow and Wednesday. The service begins at five minutes past twelve.

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## WATERWORKS CO. SUES OGDEN CITY

Mayor and Members of the Council Made Defendants.

OUTCOME OF RECENT WAR.

Injunction Asked for and Sum of \$5,000 Brought for Recovery of Damages—Other Court Notes.

The Ogden Waterworks company today filed a bill of complaint in the Federal court against the mayor, members of the city council, and the corporation of the City of Ogden.

The complaint alleges that on and about the 16th of January the defendants passed a resolution injuring the said company, and making it impossible for it to collect the money due for water rentals or to renew contracts with those using the water of said company. That the said plaintiffs sent employees to shut off the water of said users, who had not paid said proper indebtedness, and that the defendant city interfered with the employees and put them under arrest. Now a temporary injunction is asked for and a suit of \$5,000 brought against the said defendants for alleged injuries.

Regular Rule Day.

Regular rule-day business came before the Federal court this morning and besides some formal notices, the following cases came up:

The case of the United States vs. A. H. Curtis came up and was postponed until Friday. The court thought there was insufficient evidence against Curtis, who is held on the charge of having used the United States mails to further a lottery scheme and the case was postponed for permission to renew the filing of information was denied.

The cases of the United States vs. D. C. Dunbar, H. G. McMillan and John J. Daly were dismissed on motion of the district attorney.

The case of H. Shaver vs. S. P. Kelsey and others, and of Joseph H. Smith vs. Salt Lake City were set for trial on May 14th when Judge Hallett will hear them.

To be Guardian.

Amanda E. Parker Peterson made application to the district court today to be appointed guardian of Anna Mousley Parker, Myrtle Mousley Parker and Hazel Mousley Parker, aged respectively 11, 7 and 5 years, her children, who are living in Forest Dale, and who have recently lost their father. They were worth \$5,000 and cash amounting to \$2,310.56.

Divorces Granted.

Judge T. Butterfield granted Lyman T. Butterfield a divorce from Charlotte E. Butterfield on the ground of desertion. The wife is allowed the custody of the children. They were married in 1893, in Salt Lake county.

A divorce was also granted Marion L. Freckleton from William D. Freckleton, on the ground of desertion and non-support. The wife is allowed the custody of the children. They were married in 1893, in Salt Lake county.

Boundary Case.

The Swain-Higley boundary case is still on trial before Judge Hall. The suit will probably be decided by evening today.

PEST HOUSE NEGLIGENCE.

Agent of County Commissioners Finds Bad Condition of Affairs.

At the instigation of the board of county commissioners Sheriff Naylor sent out Deputy Cummings Sunday to investigate pest house conditions. From what the deputy sheriff reports, the quarantine discipline of the small-pox hospital seems to be culpably lax. Mr. Cummings' information is mostly derived from Ben Harris, a former deputy, who lives on the hill just north of the pest house. A boy who was herding cattle in the neighborhood of the pest house, when asked if he ever saw any of the patients outside of the hospital precincts, said that he had often seen people from the hospital walking down the railroad track below the penitentiary.

As late as Saturday Ben Harris says that he met two patients wandering a mile and a half away from the hospital, and he told them to keep away from his place. He asserts that they frequently go up the hill to the north of his house. He also says that he has frequently seen people come from town and go to the pest house, although he has never seen any of them enter it. The patients, however, he says, are allowed to come out and talk to visitors. When he first saw this Mr. Harris says he was so amazed that he started to keep a record of such cases, but they got to be so frequent that he lost count. Then again, he says, the patients are allowed to go up the hill to shoot. The worst breaking of the quarantine rules that I have observed," said Mr. Harris, "was that of a woman who some time ago left the pest house and came down the road to catch a street car. The car not being at the station she called at Mrs. Wheeler's house, near the pen, but was refused admittance. Then she called at Mrs. Will Murphy's, where there are four or five young children in the family, and actually went in and stayed there till her car arrived. Then she got on the car and rode down town."

Mr. Harris also talked of two girl patients who were decidedly what he terms unmanageable, and tried to stop every one who came along when they were out on the road that runs to Mill Creek.

It is also said that the dairymen, who deliver milk to the hospital, takes it right up to the door. How he disinfests himself before he serves his town customers is a matter of conjecture.

CLEARING HOUSE REPORT.

April 1, 1901.

Today's clearings . . . . . \$359,581.24

Same day last year . . . . . 401,899.43

ORE AND BULLION REPORT.

MCCORMICK & CO.

Mingo bullion . . . . . \$ 8,900

Silver and lead ores . . . . . 11,700

BAMBERGER & McMillan.

Bullion . . . . . \$3,000

## REVIVAL OF BOXER MOVEMENT EXPECTED

Is Looked for in the Spring—Robber Bands and Chinese Soldiers Cause Fresh Disturbances in Manchuria.

Berlin, April 1.—A dispatch to the Cologne Gazette, from St. Petersburg dated April 1, says robber bands, Boxers and Chinese soldiers having been causing fresh disturbances in Manchuria in the neighborhood of Chang Tu Fu. Gen. Gaudin is strengthening the railroad military posts between Karbin and Chang Tu Fu. Gen. Gaudin has asked Gov.-Gen. Gredokoff to send reinforcements as a general revival of the Boxer movement is expected in the spring.

The Russian garrison at Tsi Tsi Bar, has been compelled to camp outside the town, owing to the decomposing bodies of those who were killed during the cold weather or who perished of hunger.

SENATOR PROCTOR ON CUBA.

Found Disposition Among Some Leaders to Accept Platt Amendment.

Washington, April 1.—Senator Proctor, of Vermont, who has just returned from Cuba, says he found a disposition among many leading Cubans to accept the terms of the Platt amendment as the most satisfactory solution of the relations between the United States and Cuba. There is some disposition among the Cubans to place a strained interpretation upon the Platt legislation and they are trying to convince the Cubans that the United States intends to do them great injustice. According to Senator Proctor these are not making very much headway. Especially, he says, as the delegates to the convention are now hearing from their constituents, the large proportion of whom are anxious for a settlement of all political relations with the United States and urge the delegates to accept the offer of this government.

Senator Proctor, speaking generally of conditions in Cuba, says that the business situation is much improved. There is employment for nearly everybody and the quiet and peace that has come to the people is appreciated by them.

PRESBYTERIAN CREED.

T. De Witt Talmage Thinks Committee Will Not Do Revising.

Knoxville, Tenn., April 1.—Rev. T. De Witt Talmage, who is here today, was asked his opinion as to the proposed revision of the Presbyterian creed. He said:

"My own firm belief is that the work will not be done by a committee. When the time is ripe, some one of our great men—a man of his brains and will—step forward and read the simple article of what we now believe. When it comes it will fire the hearts of men like a flame and will be adopted instantly. I hardly think things will be ripe enough for this at the present assembly. There are a number of our great men who are as fully competent to promulgate a creed, as was John Calvin. Any creed that leaves in doubt the salvation of infants or prescribes them for damnation is defective. There is one clause in our creed which I cannot quote verbatim, but which is to the effect that the destiny of every member of the human race was settled ages ago, and no matter of belief or works of this or that individual can change it as regards himself. Such a creed is too deep."

AGUINALDO AND SPAIN.

Insurgent Leader's Capture Causes Much Interest in Madrid.

Madrid, April 1.—The capture of Aguinaldo has caused much interest here. The press is divided on the subject, some published interviews with the director of the Filipino organ here and the president of the so-called Filipino junta emphatically declare that the capture will have no permanent effect on the war; that Aguinaldo will be replaced and that the Filipinos, aided by the climate, will never be subdued.

BOERS IN LISBON.

They Are Accorded a Most Splendid Reception.

Madrid, April 1.—Dispatches from Lisbon are rigorously censored. Letters say the Boers who arrived at Lisbon on board transports Friday from Delagoa Bay were accorded a splendid reception, contrasting with the coolness of the popular reception of the mission headed by Earl Carrington, sent to Lisbon to formally notify King Charles of the death of Queen Victoria and of the accession of King Edward VII to the throne. The hour selected for the landing was kept secret, but nevertheless a large crowd was present and welcomed the travelers, a majority of whom were European volunteers. The party, numbering 700 persons, was escorted to their quarters in the forts in the vicinity of Lisbon. The Boer officers are allowed 400 reis and the rank and file are allowed sixty reis daily.

Leading Boer Gen. Pinaar, wept on leaving his men. He was much hurt because his comrades gave him the cold shoulder during the voyage on account of his refusing to destroy the Komatipoort bridge when they crossed the frontier, notwithstanding that the general acted on the instructions of President Kruger.

Venezuela and England.

Willemstad, Island of Curacao, April 1.—The colonial authorities of the island of Trinidad have been directed to prepare evidence for the use of the British minister at Caracas, who has been instructed to make representations to the Venezuelan government regarding the action of the Venezuelan gunboat *Autosto* in landing men on the *Palos Island*, (British), and destroying four neutral vessels containing British cargoes. It is believed that the British government will demand ample reparation for the destruction of the vessels and guarantees against similar acts in the future.

IN ZAMBOANGA PROVINCE.

Commission Contemplates Organizing Departmental Government.

Zamboanga, Island of Mindanao, March 31, 8 P. M.—Owing to the peculiar conditions prevailing in the Sulu archipelago and the island of Mindanao, the Philippine commission has decided to organize a departmental government covering all of the islands south of the Visayas.

A uniform general provincial law is impossible of application in the extreme southern islands on account of the necessary debarring of the Moros from self government except in cases where they have foregone allegiance to the

dates, the sultan, and became subjects of the United States and for the further reason of the multiplicity of races and tribes in Mindanao and the diversity of interests. The commission will appoint a department governor having authority to negotiate with the sultan and datus and to act as direct representatives of the commission. The commission will send by night to the various posts in Mindanao.

Salsbury Progressing Satisfactorily.

London, April 1.—Although no bulletin has been issued, it is said that Lord Salsbury is progressing satisfactorily toward recovery from illness.

The private secretary of Lord Salsbury informs the Associated Press that the premier is making excellent progress, and that there is absolutely no truth in the statement that his physicians have discovered symptoms of Bright's disease or any complication. Lord Salsbury is still somewhat weak as the result of influenza, but expects to start for the Riviera at the end of the week.

PANIC IN SULTAN'S PALACE.

It Was Occasioned by the Earthquake in Constantinople.

Constantinople, April 1.—Yesterday's earthquake was felt in the Dolmabahce palace at the moment of the bairan ceremony, when the high officials were passing before the sultan's throne. A panic resulted, particularly among the diplomats in the gallery, many of whom immediately left the palace. The band ceased playing and the musicians rushed for the doors. Pieces of plaster fell from the ceiling and portions of the chandeliers were broken, adding to the general alarm. The sultan rose from his throne and took a few steps, apparently intending to leave the chamber, but he preserved great calmness and presence of mind, which had a good effect. After a moment's hesitation his majesty reassured himself upon the throne and ordered the ceremony to proceed. A reception followed without further incident.

Sir John Stainer, Organist, Dead.

London, April 1.—Sir John Stainer, organist, composer and writer on musical topics, is dead. He was born in 1840.

BUSINESS NOTES.

Salt Lake business institutions today paid dividends as follows:

Zion's Savings Bank, quarterly, 2 per cent, or \$4.00.

Utah Commercial, quarterly, 1½ per cent, or \$3.00.

Home Fire, quarterly, 2 per cent, or \$2.00.

H. J. Grant & Co., quarterly 2 per cent, or \$2.00.

Salt Lake Hardware Co., quarterly, 2½ per cent on preferred stock.

The Deseret Savings Bank will pay its dividend of 2 per cent, or \$2.00, tomorrow.

LATE LOCALS.

Lawrence M. Caffall, 19, and Nellie Skator, 19, both of Salt Lake City, were granted a marriage license this morning.

The Copper Belt Mining company of Richfield, Sevier county, today filed articles of incorporation with the secretary of state. The capital stock is \$125,000, divided into 100,000 shares. T. Tilton of Richfield is the president of the company, Saul Kroft, of Richfield, vice president, and Max Kroft, of Marysville, secretary and treasurer, and these, with H. A. Weymouth and Earl Bartholomew, form the board of directors. The new company will develop a number of claims in the Ohio mining district in Platte county.

The offices of the Salt Lake Mutual Telephone and Telegraph company were today opened in the McCormick building by A. L. Waterbury, manager of the company and the representative now here to obtain a franchise from the city. Judging from appearance, it does look very much as if the Mutual company was going to push matters regarding the franchise and carry out its plans respecting a new telephone system in Salt Lake. Mr. Waterbury, when seen today, said: "By the middle of the week we will have 30 or 40 solicitors in the field and we certainly intend to show the people of Salt Lake that we are in earnest and have the backing necessary to insure the erection of a telephone exchange and the fulfillment of our proposals if accepted by the City Council."

The State board of medical examiners are in session in the offices of the board of health today, and will be all day tomorrow. Five men are being examined in medicine and surgery, and ten women in obstetrics.

Lyle Howells, the little 7-year-old boy who was brought from Oakley, Idaho, on Friday to be operated on for appendicitis, has improved some since the operation, but is not yet out of danger. He is at St. Mark's hospital.

The county clerk reports to the board of county commissioners the following receipts for the month of March: Receipts from Third district court department, \$59.75; receipts from county clerk's office, \$1,857.30; total \$1,917.05.

Mrs. Belle Schermer of Washington, D. C., assumed the management of the Mammoth hotel last night at 12 o'clock, the lease owned by N. S. Hall having been transferred to her for a consideration which the parties interested will not divulge.

Dr. A. G. Robertson, of Sandy, leaves this evening for a two months visit to the hospitals in the east. During his absence Dr. J. E. Robertson will have charge of his practice.